

**CORRECTIONS CODE OF 1953 (EXCERPT)**  
**Act 232 of 1953**

**791.225a Supervision fees; collection; records; payment; waiver; determination; allocation of money collected for other obligations; administrative costs; enhanced services; unpaid amounts.**

Sec. 25a. (1) The department shall collect supervision fees ordered under section 13(2) of chapter II or section 1 or 3c of chapter XI of the code of criminal procedure, 1927 PA 175, MCL 762.13, 771.1, and 771.3c. The department shall maintain records of supervision fees ordered by the court, including records of payment by persons subject to supervision fees and any amounts of supervision fees past due and owing.

(2) A supervision fee is payable when the order of delayed sentence or order of probation is entered, unless the court allows a person who is subject to a supervision fee to pay the fee in monthly installments.

(3) The department shall waive any applicable supervision fee for a person who is transferred to another state under the interstate compact entered into pursuant to 1935 PA 89, MCL 798.101 to 798.103, or the interstate compact entered into pursuant to 2002 PA 40, MCL 3.1011 to 3.1012, for the months during which he or she is in another state. The department shall collect a supervision fee of not more than \$135.00 per month for each month of supervision in this state for an offender transferred to this state under an interstate compact. In determining the amount of the fee, the department shall consider the offender's projected income and financial resources. The department shall use the following table of projected monthly income in determining the amount of the fee:

<u>Projected Monthly Income</u>	<u>Amount of Fee</u>
\$ 0-249.99	\$ 0.00
\$250.00-499.99	\$10.00
\$500.00-749.99	\$25.00
\$750.00-999.99	\$40.00
\$ 1,000.00 or more	5% of monthly income, but not more than \$135.00

The department may collect a higher amount than indicated by the table, up to the maximum of \$135.00 for each month of supervision in this state, if the department determines that the offender has sufficient assets or other financial resources to warrant the higher amount. If the department collects a higher amount, the amount and the reasons for collecting that amount shall be stated in the department records.

(4) If a person who is subject to a supervision fee is also subject to any combination of fines, costs, restitution orders, assessments, or payments arising out of the same criminal proceeding, the allocation of money collected for those obligations shall be as otherwise provided in the code of criminal procedure, 1927 PA 175, MCL 760.1 to 777.69.

(5) Twenty percent of the money collected by the department under this section shall be allocated for administrative costs incurred by the department in collecting supervision fees and for enhanced services, as described in this subsection. Enhanced services include, but are not limited to, the purchase of services for offenders such as counseling, employment training, employment placement, or education; public transportation expenses related to training, counseling, or employment; enhancement of staff performance through specialized training and equipment purchase; and purchase of items for offender employment. The department shall develop priorities for expending the money for enhanced services in consultation with circuit judges in this state. At the end of each fiscal year, the unexpended balance of the money allocated for administrative costs and enhanced services shall be available for carryforward to be used for the purposes described in this subsection in subsequent fiscal years.

(6) If a person has not paid the full amount of a supervision fee upon being discharged from probation, or upon termination of the period of delayed sentence for a person subject to delayed sentence, the department shall review and compare the actual income of the person during the period of probation or delayed sentence with the income amount projected when the supervision fee was ordered. If the department determines that the person's actual income did not equal or exceed the projected income, the department shall waive any unpaid amount in excess of the total amount that the person would have been ordered to pay if the person's income had been accurately projected, unless the court order states that a higher amount was ordered due to available assets or other financial resources. Any unpaid amounts not waived by the department shall be reported to the department of treasury. The department of treasury shall attempt to collect the unpaid balances pursuant to section 30a of 1941 PA 122, MCL 205.30a. Money collected under this subsection shall not be allocated for the purposes described in subsection (5).

**History:** Add. 1993, Act 184, Imd. Eff. Sept. 30, 1993;—Am. 2002, Act 502, Imd. Eff. July 16, 2002.

**Popular name:** Department of Corrections Act